



**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

V.

TONY RAY ORMS

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CASE NO. 1:04-CR-110(1)

MEMORANDUM ORDER
ADOPTING FINDINGS OF FACT AND RECOMMENDATION
ON DEFENDANT'S GUILTY PLEA


By order, the undersigned referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, at Beaumont, Texas, for administration of a guilty plea under Rules 11 and 32 of the Federal Rules of Criminal Procedure. Judge Giblin conducted a hearing in the form and manner prescribed by Federal Rule of Criminal Procedure 11 and issued his *Findings of Fact and Recommendation on Guilty Plea Before the United States Magistrate Judge* [Clerk's doc. #120]. The Magistrate Judge recommended that the Court accept Defendant's guilty plea and the plea agreement. He further recommended that the undersigned finally adjudge Defendant as guilty on **Count 3** of the **First Superseding Indictment** filed against Defendant in this cause.

The parties have not objected to the magistrate's findings. The Court is of the opinion that the *Findings of Fact and Recommendation on Guilty Plea* should be accepted. It is accordingly

ORDERED that the *Findings of Fact and Recommendation on Guilty Plea* [Clerk's doc. #120] of the United States Magistrate Judge are **ADOPTED** and Defendant's guilty plea and the plea agreement are **ACCEPTED** by the Court at this time.

It is further **ORDERED** that, in accordance with Defendant's guilty plea and the magistrate's findings and recommendation, Defendant, Tony Ray Orms, is hereby adjudged as **GUILTY** on **Count 3** of the charging **First Superseding Indictment**, charging violations of Title 18, United States Code, Section 924(c)(1) and Title 21, United States Code, Section 841(a)(1), conditioned upon the Court's final acceptance of the guilty plea and plea agreement at sentencing.

SIGNED this the **29** day of **June, 2005**.


Thad Heartfield
United States District Judge